

REMARKS

The Applicants sincerely appreciate the thorough examination of the present application as evidenced by the Office Action of May 1, 2008 (the Office Action). In response, the Applicants have: amended Claim 1 to include all recitations of Claim 8; canceled Claim 8; and amended Claims 9 and 10 to depend from Claim 1 and to provide further clarification thereof; amended Claims 15 and 17 to depend from Claim 1 and to provide further clarification thereof; and amended Claim 22 to include recitations corresponding to recitations of amended Claim 1. The Applicants have also amended the claims to better conform to U.S. patent practice.

In the following remarks, the Applicants will show that all claims are patentable over the cited art. Accordingly, a Notice of Allowance is respectfully requested in due course.

Independent Claim 1 Is Patentable

Independent Claim 1 has been amended to include all recitations of Claims 3 and 8, and Claims 1, 3, and 8 were rejected under 35 U.S.C. Sec. 102(e) as being anticipated by U.S. Patent No. 6,906,741 to Canova, Jr. et al. (Canova). The Applicants respectfully submit, however, that amended Claim 1 is patentable for at least the reasons discussed below. In particular, Claim 1 recites

A method of forming an output media stream to be transmitted during a communication session from a portable communication device wherein said output media stream comprises signals of a first media type, the method comprising:

generating in real time a first media stream in the portable communication device,

combining in real time the first media stream with a second media stream to form the output media stream wherein combining comprises combining signals of the first media type from the first media stream with signals of the first media type from the second media stream, and

transmitting said output media stream. (Underline added.)

Canova fails to teach or suggest combining signals of a same media type from first and second media streams. In support of the rejection of Claim 3, the Office Action states that Canova discloses:

a method of forming an output media stream further comprising the step of transmitting said output media stream (*see column 2 lines 13-16, which recite communicating the combined data*).

Office Action, page 3. In support of the rejection of Claim 8, the Office Action states that Canova discloses:

a method for forming an output media stream wherein the step of combining comprises combining signals of a first type from the first media stream with signals of the first type from the second media stream (*see column 5 lines 43-52, which recite combining videoconferencing session as well as pre-recorded video*).

Office Action, page 3. Portions of Canova cited with respect to Claim 3 state that:

The method also includes communicating, by the first handheld computer to the second handheld computer, a combination of at least two of video data, audio data, text data, and application data. (Underline added.)

Portions of Canova cited with respect to Claim 8 state that:

By way of example, participants in the videoconferencing session can share and communicate a wide variety of different information. For example, participants can view video images of any and/or all participants to the videoconferencing session. Other video can also be viewed by participants, such as, previously stored video clips, live broadcast video, or any other visual communication. Similarly, a wide variety of audio data, text data, and/or application data can be selectively presented and accessed during the video conference. (Underline added.)

Canova, col. 5, lines 43-52.

Canova thus discusses communicating a combination of at least two of video data, audio data, text data, and application data. Canova further discusses sharing/communicating a variety of different information including video images of any/all participants, previously stored video clips, live broadcast video, other visual communication, audio data, text data, and/or application data. Stated in other words, Canova discusses combining/communicating signals of different types. Canova, however, fails to teach or suggest transmitting an output media stream formed by combining signals of a same media type from first and second media streams.

Accordingly, the Applicants respectfully submit that Claim 1 is patentable over Canova. The Applicants further submit that dependent Claims 2, 4-7, and 9-21 are patentable at least as per the patentability of Claim 1 from which they depend.

Independent Claim 22 Is Patentable

Claim 22 has been amended to include recitations corresponding to those of Claim 1, and Claim 22 has been rejected under 35 U.S.C. Sec. 102(e) as being anticipated by Canova. Claim 22, however, is patentable for reasons similar to those discussed above with respect to Claim 1. In addition, dependent Claims 23-29 are patentable at least as per the patentability of Claim 22 from which they depend.

Various Dependent Claims Are Separately Patentable

Dependent Claims 2, 4-7, 9-21, and 23-29 are patentable for at least the reasons discussed above with respect to independent Claims 1 and 22 from which they depend. Various of these dependent claims are also separately patentable for at least the additional reasons discussed below.

Dependent Claim 15, for example, includes all recitations of Claim 1 and further recites superposing first and second audio signals of first and second media streams. Accordingly, in Claim 15, an output media stream is formed by superposing audio signals, and the output media stream (including the superposed audio signals) is transmitted. In support of the rejection of Claim 15, the Office Action states that Canova discloses:

a method for forming an output media stream wherein the step of combining signals, where the signals of the first type are audio signals, further comprises the step of superposing the signals of said first type (*see column 6 lines 13-15*).

Office Action, page 5. Cited portions of Canova state that:

Alternatively, another audio data option may be to provide audio data from all participants to the videoconferencing session.

Canova, col. 6, lines 13-15. Canova, however, fails to teach or suggest transmitting an output media stream formed by superposing audio signals. Accordingly, the Applicants respectfully submit that Claim 15 is separately patentable over the cited art.

In addition, dependent Claim 17 includes all recitations of Claim 1 and further recites blending first and second image signals of first and second media streams. Accordingly, in Claim 17, an output media stream is formed by blending image signals, and the output media stream (including the blended image signals) is transmitted. In support of the rejection of Claim 17, the Office Action states that Canova discloses:

a method for forming an output media stream wherein the step of combining signals, where the signals of the first type are image signals, further comprises the step of blending the signals of said first type.

Office Action, page 5. The Office Action, however, does not cite any portions of Canova as teaching blending image signals. Regarding video, Canova states that:

the handheld computer user may change or toggle (or switch) between different video presentation views (step 240) during a session. For example, a user may want to switch back and forth between video images of different participants to the video conference. (Underline added.)

Canova, col. 7, lines 10-15. With respect to Figure 4 of Canova, Canova states that:

at any moment during a videoconferencing session device 310 can show a video 314 of another participant in the conference while device 320 can show graph 332 accompanying the discussion while device 330 can show graph 332 and a video 334 of conference participants. At the same time, device 340 can show graph 332, videos 314 and 334 of conference participants, and additional information, such as, a web page 348.

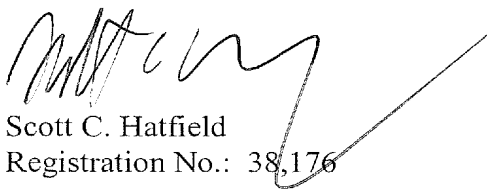
Canova, col. 8, lines 1-8. Accordingly, Canova discusses choosing different and/or multiple images to view at a handheld device during a videoconferencing session. Canova, however, fails to teach or suggest blending image signals, much less, transmitting an output media stream formed by blending image signals. Accordingly, the Applicants respectfully submit that Claim 17 is separately patentable over the cited art.

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CONCLUSION

Accordingly, the Applicants submit that all pending claims in the present application are in condition for allowance, and a Notice of Allowance is respectfully requested in due course. The Examiner is encouraged to contact the undersigned attorney by telephone should any additional issues need to be addressed.

Respectfully submitted,

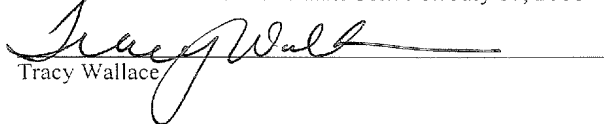


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